

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

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INDIAN HARBOR INSURANCE	:
COMPANY,	:
	:
Plaintiff,	:
	:
- against -	:
	:
THE CITY OF SAN DIEGO,	:
	:
Defendant	:
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Case No. 12cv-5787 (JGK –KNF)
ECF Case

DECLARATION OF SERVICE

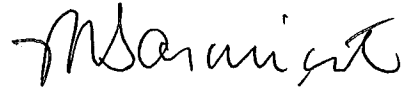
I, the undersigned, declare that: I am over the age of 18 years and not a party to the case. I am employed in, or am a resident of, the County of San Diego, California, where the mailing occurs; and my business address is 1200 Third Avenue, Suite 1100, San Diego, California, 92101-4100. I, further declare that, on **October 3, 2012**, I electronically filed the following document:

1. **NOTICE OF MOTION AND MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION AND FOR IMPROPER VENUE;**
2. **MEMORANDUM OF LAW IN SUPPORT OF MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION AND FOR IMPROPER VENUE;**
3. **REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION AND FOR IMPROPER VENUE**

with the Clerk of the Court by using CM/ECF system which will send a notice of electronic filing, in accordance with the rules governing the electronic filing of documents in the United States District Court for the Southern District of New York to the e-mail addresses as follows:

Christine Megna Van Gelder Jessica A. Bohl Duane Morris LLP 1540 Broadway New York, NY 10036 Tel. (212) 692-1000 Fax (212) 692-1020 cmvangelder@duanemorris.com jabohl@duanemorris.com Attorneys for Plaintiff Indian Harbor Insurance Company	Max H. Stern Jessica E. La Londe DUANE MORRIS LLP One Market, Spear Tower Suite 2000 San Francisco, CA 94105-1104 Tel.: (415) 957-3000 Fax: (415) 957-3001 mhstern@duanemorris.com jelalonde@duanemorris.com Attorneys for Plaintiff Indian Harbor Insurance Company
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this **October 3, 2012**, at San Diego, California.

A handwritten signature in black ink, appearing to read "Merlita C. Sarmiento", written in a cursive style.

Merlita C. Sarmiento